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BEFORE THE
Federal Communications Commission
WASHINGTON, D. C.

JAN 19 1988
Federal Communications Commission
Office of the Secretary

In the Matter of

Advanced Television Systems
and Their Impact on the Existing
Television Broadcast Service

MM Docket No. 87-268 ✓
RM-5811

Review of Technical and Operational
Requirements: Part 73-E, Television
Broadcast Stations

Reevaluation of the UHF Television
Channel and Distance Separation
Requirements of Part 73 of the
Commission's Rules

To the Commission:

REPLY COMMENTS OF COX ENTERPRISES, INC.

Cox Enterprises, Inc. ["CEI"], by its attorneys,
submits herewith its Reply Comments in the above-captioned
proceeding.

CEI's initial Comments herein stressed several
fundamental considerations which should guide the
Commission's decisions concerning high definition television
["HDTV"] systems. Those Comments urged the Commission to
establish a single NTSC-compatible HDTV standard which offers
picture quality equivalent to that of non-NTSC-compatible
systems. They reflected CEI's belief that the standard
adopted should reflect the concerns of all participants in

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the nationwide video delivery system -- including broadcast, cable, VCR and satellite -- in order to maximize consumer viewing options and minimize consumer technological purchasing errors. Finally, CEI urged the Commission to delay irreversible spectrum allocation decisions until it has sufficient data to make informed decisions concerning the optimum parameters of a domestic HDTV standard.

The vast majority of commenting parties agree with CEI's basic position. There is no serious disagreement that HDTV represents a major technological breakthrough which will be demanded by the United States viewing public. There is also a clear consensus that the Commission must act so as to permit the United States broadcasting and cable industries to respond effectively to that demand. And the comments emphatically agree that the Commission does not now have sufficient technical data concerning HDTV to permit a fully informed resolution of the issues set forth in its Notice of Inquiry. They thus urge the Commission to delay action on pending spectrum allocation matters and adoption of an HDTV standard until it has sufficient information for a fully informed decision concerning HDTV's future in the United States.

In short, review of the comments confirms that the fundamental guidelines for HDTV decision-making set forth in CEI's initial Comments reflect sound policy consistent with the public interest.

NTSC-Compatibility. CEI's initial Comments stressed that NTSC-compatibility should be a paramount consideration in the development of a United States HDTV standard. A significant majority of the commenting parties agree.^{1/} While some question the long-term significance of consumer and industry investment in NTSC equipment, CEI submits that the extent of that investment and its practical implications cannot be disregarded. A transition to a non-NTSC-compatible system, even over an extended period of time, would generate public confusion as well as substantial additional problems of practical implementation. CEI submits that NTSC-compatibility is critical to the practical feasibility, and the probable commercial success, of a domestic HDTV system. NTSC-compatibility is in the best interest of consumers, broadcasters and cable operators. CEI thus has significant reservations concerning HDTV proposals which are not NTSC-compatible, and urges the Commission to be extremely cautious in considering any standard which would compromise the massive investment in NTSC equipment.

Picture Quality. A consideration of similar importance to an effective United States HDTV standard is picture quality. CEI's initial comments stressed the need for a Commission HDTV standard which permits resolution equivalent to that available from non-NTSC-compatible systems

^{1/} So does the Commission, at least on a preliminary basis. See Notice of Inquiry at par. 43.

(in practical terms at this date, equivalent to NHK's MUSE system). There is little disagreement in the initial comments over the significance of competitive technical quality to public acceptance of any HDTV standard. CEI remains convinced that a high degree of resolution must be a critical requirement for the Commission's HDTV standard. An HDTV standard which sacrifices picture quality for other claimed benefits will frustrate the chances for that standard's ultimate commercial success.

HDTV Testing and Development. The comments demonstrate the intensity and scope of current research which is seeking to develop the optimum HDTV technology for use in this country. United States broadcast, cable and related industries are vigorously exploring HDTV with the goal of expeditious introduction of a fully competitive domestic HDTV system. CEI has reviewed the various HDTV proposals discussed in the Comments. Those proposals are in various stages of development and testing, and have enjoyed various levels of support. None of the proposals, however, are fully tested or operational. The comments thus unanimously agree that there is at present insufficient information upon which to premise informed answers to the questions raised by the Notice of Inquiry and a reasoned selection of an HDTV standard.

CEI believes that all promising HDTV systems merit thorough exploration and testing, prior to the

Commission's selection of an HDTV standard: all legitimate proposals for United States HDTV should have sufficient support to permit computer simulation and prototype hardware development and demonstration prior to the Commission's decision. With such support, full data concerning possible HDTV standards can be compiled and provide the basis for fully informed recommendations from the Commission's HDTV Advisory Committee and, ultimately, for a fully informed HDTV decision by the Commission.

For the Commission to attempt to resolve fundamental HDTV issues prior to completion of adequate research on all feasible HDTV systems would be inconsistent with the requirements of reasoned administrative decision-making. The Commission should not attempt to make final decisions concerning HDTV until all promising HDTV systems have been thoroughly tested and it has evaluated the results of those tests.

CEI does not advocate an indefinite delay in Commission action. To the contrary, it urges the Commission promptly to announce that it intends to adopt a single, NTSC-compatible standard, and to establish a definite target date for the adoption of that standard. Such an announcement would provide clear notification to interested parties of the Commission's intentions with respect to HDTV in this country and effectively channel research efforts towards development of an NTSC-compatible system.

Delay in Spectrum Allocation. Nowhere is the need for prudent delay more evident than with respect to spectrum allocation issues. If the Commission were to reallocate spectrum now, before all HDTV systems have been thoroughly evaluated, it could jeopardize the future of domestic HDTV. Practical implementation of an HDTV system consistent with the guidelines CEI (and the majority of other commenting parties) suggest could require more than the 6 MHz of spectrum currently authorized for use by television stations. If test data show this to be the case, the public interest requires that adequate spectrum be available to accommodate that need.

The Commission must not now foreclose implementation of any potential HDTV systems through irreversible spectrum allocation decisions. The record demonstrates that there is no pressing need for spectrum for other uses. A limited delay, sufficient to permit development of a full factual record on which to premise informed resolution of issues associated with HDTV and selection of a nationwide HDTV standard, would not adversely affect the public interest. To the contrary, it would further the public interest in ensuring spectrum allocation decisions consistent with "...the larger and more effective use of radio..." 47 U.S.C. Sec. 303(g).

Additional Comment Dates. CEI concurs with the joint request of the National Association of Broadcasters,

the Association of Maximum Service Telecasters and the National Cable Television Association that the Commission establish additional comment dates to permit public evaluation of and comment upon the Advisory Committee's report, the results of propagation and transmission path tests and spectrum surveys to be conducted in 1988, and the results of tests concerning the specific characteristics of particular systems. Given the enormous implications of the decision herein for the nation's viewing public, the public interest demands that the decision to adopt a nationwide HDTV standard be as informed as possible. The additional data which can be generated during reasonable further comment periods, coupled with the additional opportunity for public review of and comment upon that data, will contribute to the complete factual record which is necessary to reasoned administrative decision-making required by the public interest.

Conclusion

Cox Enterprises, Inc. urges the Commission to adopt a single national standard for HDTV which is usable by all video delivery media and which reflects a consensus among those industries. That standard should be NTSC-compatible and offer picture quality equivalent to other available HDTV systems. The mechanics of the FCC's advisory process leading to the standard's adoption should ensure that all potentially workable HDTV proposals have a level of support which ensures

their thorough evaluation and testing. The Commission should permit that evaluation and testing to be concluded prior to resolving HDTV issues, so that its decision adopting a standard is fully-informed and based on the most complete record possible. Finally, that decision should not be prejudged by premature spectrum allocation decisions which automatically eliminate certain HDTV options.

Respectfully submitted,

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